

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CLINTON C. BARLOW,

Plaintiff,

v.

5:07-CV-1310
(FJS/GHL)

U.S.H.H.S., et al.,

Defendants.

APPEARANCES:

OF COUNSEL

CLINTON C. BARLOW
Plaintiff *pro se*
3287 Shetland Road West
Jacksonville, Florida 32277

FREDERICK J. SCULLIN, JR., S.D.J.:

DECISION AND ORDER

Presently before the Court is Magistrate George H. Lowe's December 19, 2007 Report-Recommendation in which he recommends that this case be dismissed for lack of subject matter jurisdiction and Plaintiff's motion for leave to proceed *in forma pauperis* be **DENIED AS MOOT**, and the Court having reviewed the Report-Recommendation and the entire file in this matter and no objections to said Report-Recommendation having been filed, the Court hereby

ORDERS, that the Report-Recommendation filed by Magistrate Judge George H. Lowe on December 19, 2007 is, for the reasons

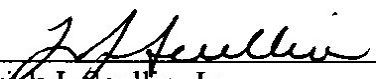
stated therein, **ACCEPTED** in its entirety; and the Court further

ORDERS, that this case is **DISMISSED** for lack of subject matter jurisdiction and Plaintiff's motion for leave to proceed *in forma pauperis* is **DENIED AS MOOT**, and the Court further

ORDERS, that the Clerk of the Court is to enter judgment in favor of Defendants and close this case.

IT IS SO ORDERED.

DATED: January 9, 2008
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Court Judge